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May 20, 2015

Via ECF

The Hon. Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
40 Foley Square, Room 435
New York, New York 10007

Re: *The Export-Import Bank of the Republic of China v. République du Niger*, 97 CIV 3090
(LAK)

Dear Judge Carter:

We represent judgment creditor The Export-Import Bank of the Republic of China (“Ex-Im Bank”). We submit this joint status report on Ex-Im Bank’s discovery of SOPAMIN,¹ and settlement discussions between Ex-Im Bank and judgment debtor République du Niger (“Niger”). Counsel for SOPAMIN reviewed this letter and joins in it.

On May 15, 2015, Ex-Im Bank and Niger entered into a settlement agreement (the “Settlement Agreement”) regarding the matter. The Settlement Agreement is effective upon Ex-Im Bank’s receipt of an initial payment (the “Initial Payment”) from Niger, which is due on or before June 1, 2015. Thus, Ex-Im Bank anticipates that the Settlement Agreement will go into effect within the next two weeks.

Until the Initial Payment is made (and the Settlement Agreement is effective), the \$5,427,924 currently held by Exelon (the “Restrained Funds”) will remain restrained pursuant to the so-ordered February 23, 2015 Stipulation between Ex-Im Bank and Exelon. Upon receipt of the Initial Payment, Ex-Im Bank has agreed to inform Exelon that it may release the Restrained Funds to SOPAMIN.

Given the Settlement Agreement, Ex-Im Bank and SOPAMIN believe that it is highly unlikely that a further hearing on Ex-Im Bank’s motion for a restraining notice against Exelon (the “Motion”) and additional discovery will be required. However, out of an abundance of caution, Ex-Im Bank and SOPAMIN wish to preserve all rights in the matter. Therefore, Ex-Im Bank and SOPAMIN respectfully request that: (1) the May 26, 2015 hearing on the Motion be adjourned until June 15, 2015;² and (2) any discovery issues between Ex-Im Bank and

¹ The parties continue to dispute the use of the term “discovery.” SOPAMIN characterizes the process as “voluntary disclosure,” but Ex-Im Bank rejects that characterization.

² Counsel for Ex-Im Bank spoke to counsel for Exelon regarding the adjournment of the May 26, 2015 hearing, and Exelon has no objection to the adjournment.

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SOPAMIN be stayed until June 15, 2015.

We are available to address any questions that the Court may have. And we will, of course, apprise the Court of any developments in the matter, including Ex-Im Bank's receipt of the Initial Payment, and final resolution.

Respectfully submitted,

/s/ Paul E. Summit

Paul E. Summit

cc: Anthony Mavronicolas, Esq.
Patrick Croke, Esq.